

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 04-00302-01-CR-W-HFS
)
)
ANTONIO CLEMMONS,)
)
Defendant.)

MEMORANDUM TO COUNSEL

The court has under advisement various motions in limine relating to the effect of the Crawford case. Assuming I reach the “excited utterance” issue as a hearsay rule exception it would be useful, perhaps necessary, to have an affidavit from a police officer or other witness on this subject. As soon as there is a filing by the Government, defense counsel should advise if and when a reply will be filed.

A ruling early next week would doubtless be useful to counsel.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

June 23, 2005

Kansas City, Missouri